

Piscataway (1985)

11/20/88

Suggested amendment to order

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November 20, 1985

VIA EXPRESS MAIL

Honorable Eugene D. Serpentelli, A.J.S.C.  
 Ocean County Courthouse, CN 2191  
 Toms River, New Jersey 08754

Re: Urban League of Greater New Brunswick  
v. Borough of Carteret [Piscataway], C-4122-73

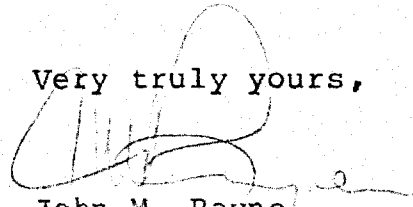
Dear Judge Serpentelli:

I am in receipt of Mr. Paley's proposed order reflecting Your Honor's ruling of November 8 concerning the deadline for submission of Piscataway's compliance proposal. My notes indicate that it was Your Honor's intent to have the Master, Ms. Lerman, proceed automatically to submit her own compliance proposal if the Township was found not to have made satisfactory progress by December 2, and further that she would proceed automatically if Piscataway did not submit a compliance proposal by December 23 in the event that the deadline was extended to that date. In either case, the Urban League plaintiffs would not have to move formally for a reference to Ms. Lerman.

A revised page 3 of the proposed order is submitted that incorporates these points, by adding a sentence to the end of paragraph 2, adding a new paragraph 3, and renumbering the present paragraph 3 as paragraph 4. The proposed order is satisfactory otherwise. I am forwarding this modification to Your Honor by Express Mail today in the hope that any further problems can be resolved on Friday, November 22, when Mr. Paley and I will be appearing to argue Piscataway's most recent stay motion.

By agreement of the parties, the Township of Piscataway has undertaken to make its weekly reports to Ms. Lerman beginning Friday, November 15, even though a signed Order has not yet been received.

Very truly yours,



John M. Payne  
 Co-counsel for the  
Urban League plaintiffs  
 On behalf of the American Civil  
 Liberties Union of New Jersey

cc/Piscataway Service List

League weekly that it has communicated with the said Master, and shall, further, freely consult with the said Master in connection with the said plan.

2. On December 2, 1985, this Court will confer with the Master and the parties by telephone. If this Court is satisfied that the Township of Piscataway has made reasonable progress towards compliance, this Court will extend the time within which the Township of Piscataway must submit its compliance plan until December 23, 1985, without formal application, subject to the right of the plaintiff Urban League of Greater New Brunswick to object. If this Court finds that reasonable progress towards compliance has not been made, Ms. Lerman shall be directed, without formal application by the Urban League, to submit a compliance plan forthwith, subject to the right of the Township of Piscataway to object.

3. If the time for compliance is extended to December 23, 1985, in accordance with paragraph 2 above, but the Township of Piscataway does not submit a compliance plan by that date, the Master, Ms. Lerman, shall be directed to submit a compliance plan forthwith, without the necessity of a formal application by the Urban League, which shall, however, submit an order confirming that this paragraph 3 has been invoked

4. Except as specifically modified by this Order, all provisions of the Judgment as to Piscataway dated September 17, 1985, shall remain in full force and effect.

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Eugene D. Serpentelli, A.J.S.C.

SERVICE LIST

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